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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,586	11/24/2003	11/24/2003 Chin-Hsin Chen		5788
23595 7	590 11/15/2005		EXAMINER	
NIKOLAI & MERSEREAU, P.A.			GARRETT, DAWN L	
900 SECOND AVENUE SOUTH SUITE 820			ART UNIT	PAPER NUMBER
	IS, MN 55402		1774	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)			
	10/721,586	CHEN ET AL.			
Office Action Summary	Examiner	Art Unit			
	Dawn Garrett	1774			
The MAILING DATE of this communication apperiod for Reply	ppears on the cover sheet with the	correspondence address			
A SHORTENED STATUTORY PERIOD FOR REP WHICHEVER IS LONGER, FROM THE MAILING I - Extensions of time may be available under the provisions of 37 CFR 1 after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory perior Failure to reply within the set or extended period for reply will, by statution Any reply received by the Office later than three months after the mail earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNICATIO 1.136(a). In no event, however, may a reply be d will apply and will expire SIX (6) MONTHS fro tte, cause the application to become ABANDON	DN. timely filed m the mailing date of this communication. IED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on 24	November 2003.				
2a) This action is FINAL . 2b) Th	This action is FINAL . 2b) This action is non-final.				
3) Since this application is in condition for allow	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is				
closed in accordance with the practice under	Ex parte Quayle, 1935 C.D. 11,	453 O.G. 213.			
Disposition of Claims					
4) Claim(s) 1-15 is/are pending in the application 4a) Of the above claim(s) is/are withdr 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-15 are subject to restriction and/o	awn from consideration.				
Application Papers					
9) The specification is objected to by the Examir 10) The drawing(s) filed on is/are: a) acceptable and applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the I	ccepted or b) objected to by the drawing(s) be held in abeyance. Section is required if the drawing(s) is continuous.	ee 37 CFR 1.85(a). objected to. See 37 CFR 1.121(d).			
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents. 2. Certified copies of the priority documents. 3. Copies of the certified copies of the priority documents. * See the attached detailed Office action for a list	nts have been received. nts have been received in Applica iority documents have been recei au (PCT Rule 17.2(a)).	ation No ved in this National Stage			
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) 🔲 Interview Summa Paper No(s)/Mail				
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/0 Paper No(s)/Mail Date		Patent Application (PTO-152)			

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DETAILED ACTION

Election/Restrictions

- 1. This application contains claims directed to the following patentably distinct species of the claimed invention: Condensed polycyclic aromatic compounds. Applicant should select a polycyclic aromatic compound from the group consisting of formula (I), formula (II), formula (III), formula (IV), and formula (V). For the selected formula, applicant should further indicate a group representing each of the R variables of the selected formula.
- 2. This application contains claims directed to the following patentably distinct species of the claimed invention: Organic metal chelates. Applicant should select a single species of chelate by indicating a metal, X ligand, Y ligand, m value, and n value according to formula (VI). Applicant should further indicate an ultimate species that is representative of the elected organic metal chelate.
- 3. This application contains claims directed to the following patentably distinct species of the claimed invention: Luminescent dyes. Applicant should select a single species of luminescent dye from the group consisting of Formula 1, Formula 2, and Formula 3 (as listed in claim 15).
- 4. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, at least claims 1 and 12 are considered to be generic.
- 5. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable

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thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

- 6. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).
- 7. Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.
- 8. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 9. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is (571)272-1523. The examiner can normally be reached Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached at (571) 272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dawn Garrett
Primary Examiner
Art Unit 1774

November 9, 2005